

EXHIBIT 1

**Outline of the categories of RFAs,
ROGs, and RFPs at issue, as they are
organized in this brief**

Organization of Motion to Compel by Category of Discovery Request Defendants Move to Compel Responses To

1. Requests for Admission (“RFAs”)

- a. The PSC should be compelled to answer all RFAs to which they object by saying that the RFA seeks a legal conclusion.

RFAs in the “Legal Conclusion” Category

4-18, 20, 23-24, 26-28, 29, 31, 74-79, 90-92, 125, 130

- i. RFAs that seek admissions regarding duty, breach, and causation pertaining to other parties are appropriate requests for an application of law to fact and should be answered.

RFAs in this Sub-Category

4-18, 23-24, 26-28, 75-78 – Exhibit 2

- ii. RFAs that ask about public agencies’ duties are appropriate requests for an application of law to fact and should be answered.

RFAs in this Sub-Category

31, 74, 79, 90-92 – Exhibit 3

- iii. The RFA that asks for admission that NECC violated the FDA’s compliance guide is proper and should be answered.

RFA in this Sub-Category

29 – Exhibit 4

- iv. RFAs that ask for application of the standard of care, or whether a specific act was reasonably foreseeable based on the case-specific facts are proper and should be answered

RFAs in this Sub-Category

20, 125, 130 – Exhibit 5

- b. The PSC should be compelled to respond to all RFAs to which they object based on information being in possession of third parties.

RFAs in "Information in the Possession of Third Parties Category"

21-22, 34, 42, 45, 47, 49, 51, 53-57, 60-65, 69-72, 80-89, 94, 108, 110, 114-125, 127, 131-140

- i. RFAs that ask the PSC to admit various events in NECC's regulatory history as documented in readily-available sources are appropriate and should be answered.

RFAs in this Sub-Category

47, 49, 51, 53-57, 60-65, 69-72, 81-89 – Exhibit 6

- ii. RFAs that ask the PSC to admit information readily available in online governmental sources or other sources provided to the PSC are proper and should be answered.

RFAs in this Sub-Category

RFAs 21-22, 34, 94, 108, 110, 114-125, 127, 131-140 – Exhibit 7

- iii. RFAs asking the PSC to admit what information was publicly available prior to the outbreak are appropriate and should be answered.

RFAs in this Sub-Category

42, 45, 80 – Exhibit 8

- c. **RFAs that ask the PSC to admit that Teva, Sandoz, and Pfizer manufactured methylprednisolone acetate should be deemed admitted.**

RFAs in this Category

95, 101, 107 – Exhibit 9

2. ("ROGs") and Requests for Production ("RFPs")

- a. The PSC should be compelled to identify the factual basis for its denials of RFAs as requested by ROG 1 and RFP 1.

Discovery Requests in this Category

ROG 1; RFP 1; RFAs 1-2, 39, 41, 66, 67, 107, 113 – Exhibit 10

- b. The PSC should be compelled to answer ROGs and RFPs asking for information and documents supporting Plaintiffs' claims against settling Defendants.

ROGs / RFPs in this Category

ROGs 4, 10; RFPs 3, 5, 6, 8 – Exhibit 11

- c. The PSC's objections to ROGs as "contentious" are improper, and the ROGs should be answered.

ROGs in this Category

2, 3, 8, 11, 13 – Exhibit 12

- d. The PSC should be compelled to identify communications with Martin Kelvas.

ROG in this Category

7 – Exhibit 13

- e. The PSC should be compelled to identify admissions made by these Defendants

ROG in this Category

5 – Exhibit 14